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01. Juni 2004

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Application No. 02 709 256.8 - 2402	Ref. 432849GA	Date 27.05.2004
Applicant MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



COSTA ROLDAN N
Primary Examiner
for the Examining Division

Enclosure(s): 7 page/s reasons (Form 2906)



Boschold/Protokoll (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annex)

Datum
Date
Date 27.05.2004

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Sheet
Feuille 1

Anmelde-Nr.:
Application No.: 02 709 256.8
Demande n°:

The examination is being carried out on the following application documents:

Text for the Contracting States:

AT BE CH LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE TR

Description, pages:

1-30 as originally filed

Claims, No.:

1-53 as originally filed

The amended sequence listing filed with the letter of 25.08.2003, received on 27.08.2003, shall not form part of the description according to Rule 27a(4) EPC and therefore shall be published as an annex.

The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: ESPY M. ET AL: "Evaluation of LightCycler PCR for implementation of laboratory diagnosis of herpes simplex virus infections" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 38 (8), August 2000, pages 3116-3118.

D2: ESPY M. ET AL: "Diagnosis of Herpes Simplex Virus Infections in the Clinical Laboratory by LightCycler PCR", JOURNAL OF CLINICAL MICROBIOLOGY, vol. 38 (2), February 2000, p. 795-799.

D3: RYNCARZ ET AL: "Development of a high-throughput quantitative assay for detecting herpes simplex virus DNA in clinical samples" JOURNAL OF CLINICAL MICROBIOLOGY, vol. 37 (6), June 1999, pages 1941-1947.

D4: WO-A2-9919466

D5: EP-A-269764

D6: US-5049490